

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : CHAPTER 13  
: :  
JOHN AUBREY COONEY, JR. : NO. 23-12823-MDC  
Debtor :

**OBJECTION OF MACELREE HARVEY, LTD. TO CONFIRMATION OF  
DEBTOR'S CHAPTER 13 PLAN**

1. Presently before the Court for confirmation is Debtor's First Amended Chapter 13 Plan, which was filed on or about January 17, 2024.
2. On November 9, 2023, MacElree Harvey, Ltd. ("MacElree") filed a Proof of Claim in the amount of \$241,456.53, with the secured portion of the claim in the amount of \$201,509.15. MacElree's claim is listed as no. 5 on the Claims Register in the above-captioned matter.
3. MacElree hereby joins in the Objection filed by the Montgomery County Tax Claim Bureau on February 14, 2024 at Document No. 24.
4. Additionally, there is sufficient equity in Debtor's residence to pay the secured portion of MacElree's claim.
5. MacElree objects to the confirmation of Debtor's proposed First Amended Chapter 13 Plan because it does not provide for MacElree to receive payments from Debtor with a value equal to the allowed amount of its claim as required by 11 U.S.C. §1325(a)(5)(B)(ii).
6. Additionally, it is believed and therefore averred that Debtor has not proposed its Chapter 13 Plan in good faith for the following reasons in addition to those cited by the Tax Claim Bureau:
  - (a) It is believed that Debtor intends to list the property at a price substantially in excess of the fair market value of the property.

WHEREFORE, MacElree hereby requests this Honorable Court to enter the attached Order sustaining the objection to confirmation of Debtor's Plan and for such other relief as is just and equitable.

MacELREE HARVEY, LTD.

By: 

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